

REMARKS

Favorable reconsideration of this application, in light of the preceding amendments and following remarks, is respectfully requested.

Claims 1 and 3-26 are pending in this application. Claims 1, 4, 8, 10, 12, 13-15, 18-19, 22-23 and 26 are amended and no claims have been cancelled or added. Claims 1, 4, 8 and 10 are the independent claims.

Summary of Examiner Interview

Initially, Applicant wishes to thank the Examiner for his time during the July 12, and July 17, 2007 personal Interviews with Applicant's representative Erin Hoffman (Reg. No. 57,752). During the Interviews, it was agreed that the presently filed amendments to claims 1, 4, 8, 10, 12, 13-15, 18-19, 22-23 and 26 are allowable over the prior art of record.

Rejections under 35 U.S.C. § 103

Claims 1-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi et al. (Tentative Lecture Proceeding, Chemical Society of Japan 2001) in view of Sumida et al. (JP 2002-80488 A) and Tomalia et al. (US 5,714,166) and further in view of Nelson et al. (US 6,756,345 B2). Applicants respectfully traverse this rejection for the reasons detailed below.

As discussed above, the Examiner has indicated that the amendments to independent claims 1, 4, 8, and 10 are sufficient to overcome the prior art of record. Claims 3, 5-7, 9, and 11-25, dependent on independent claims 1, 4, 8, and 10, are patentable for the reasons stated above with respect to claims 1, 4, 8, and 10 as well as for their own merits.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection to independent claims 1, 4, 8, and 10 and all claims dependent thereon.

Double Patenting

Claims 1-26 stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-28 of U.S. Patent No. 7,183,067.

Concurrent with the filing of the present Amendment, Applicants submit a Terminal Disclaimer under 37 C.F.R. § 1.321(c). Thus, Applicants submit that the rejection has been overcome. Withdrawal is kindly requested.

The Applicants, therefore, respectfully request that the rejection to Claims 1-26 as to nonstatutory obviousness-type double patenting be withdrawn.

CONCLUSION

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Erin G. Hoffman, Reg. No. 57,752, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By

A handwritten signature in black ink, appearing to read 'Daley', is written over a horizontal line.

Donald J. Daley, Reg. No. 34,313
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

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